

REMARKS

In the Final Office Action, the Examiner rejected claims 1-10, 14-35, 37-43, and 45-59 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 7,065,199 to Hyllander et al. (Hyllander) in view of U.S. Patent No. 7,184,415 to Chaney et al. (Chaney); rejected claims 11-12 under 35 U.S.C. § 103(a) as unpatentable over Hyllander, Chaney, and U.S. Patent No. 6,731,609 to Hirni et al. (Himi); and rejected claim 59 under 35 U.S.C. § 103(a) as unpatentable over Hyllander, Chaney, and U.S. Patent No. 6,775,269 to Kaczmarczyk et al. 6,731,609 (Kaczmarczyk).

By this amendment, Applicants have amended claims 1, 35, 43, 54, 55, 56, 57, and 58 to more clearly define the features of those claims.

Claims 1-12, 14-35, 37-43, and 45-59 are currently pending.

The Examiner rejected claims 1-10, 14-35, 37-43, and 45-59 under 35 U.S.C. § 103(a) as Hyllander in view of Chaney. Applicants respectfully traverse this rejection.

Claim 1, as amended, recites a combination, including the following feature: "transmitting via a data path a conference request directed to an application server providing a packet-switched conference call service to a circuit-switched network, the packet-switched conference call service provided using a connection between a packet-switched network and a user terminal via the circuit-switched network." Moreover, claim 1 includes "receiving at the user terminal via the data path a temporary routing number as a conference routing number for the requested conference call service, the temporary routing number received in response to the conference request."

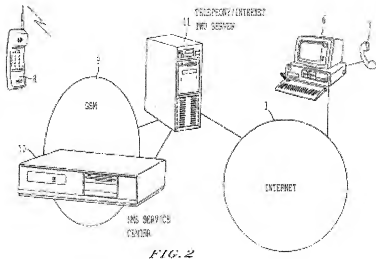
In contrast to claim 1, Hylander discloses the use of SMS (short message service) to allow a GSM subscriber (see, e.g., GSM handset 8 below) to make calls to an Internet subscriber (see, e.g., Internet user 6 below) having an address including alphanumeric characters, such as the address of an Internet server. Specifically, Hylander states:

It is an object of the present invention to provide a communication system including a cellular radio communication network, such as a Global System for Mobile Communication (GSM) network, that is adapted to use a short message service (SMS) to enable a GSM subscriber to make an Internet telephone call to an Internet user. In particular, SMS is used to transfer address information for the Internet user to an Internet server.

Hylander, col. 2, lines 31-38. Moreover, Hylander states:

The problem facing the GSM subscriber is how he/she is to address the Internet user without having access to an alphanumeric keyboard. The SMS service of GSM has an alphanumeric capability and can, therefore, be used for GSM/Internet telephony services.

Hylander, col. 6, lines 57-61. Hylander's FIG. 2 is reproduced below for the convenience of the Examiner.



Because Hyllander merely uses SMS text to enable a GSM handset to provide alphanumeric text typically found in an Internet address, Hyllander is completely silent with respect to any mechanism for transmitting a conference request to an application server, much less "transmitting via a data path a conference request directed to an application server providing a packet-switched conference call service to a circuit-switched network, the packet-switched conference call service provided using a connection between a packet-switched network and a user terminal via the circuit-switched network." Although Chaney discloses an IP-based conference service, Chaney fails to cure this deficiency in Hyllander. Therefore, claim 1 is allowable over Hyllander and Chaney, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claim 1 and claims 2-10 and 13-34, at least by reason of their dependency from independent claim 1, should be withdrawn.

Moreover, the Examiner appears to allege that Hyllander at col. 3 lines 1-7 discloses the following feature of claim 1: "receiving at the user terminal via the data path a temporary routing number as a conference routing number for the requested conference call service, the temporary routing number received in response to the conference request." However, a careful scrutiny of the cited passage reveals that it does not disclose what the Examiner alleges. Instead, Hyllander at col. 3 lines 1-7 discloses that the telephony/Internet server (e.g., telephony/Internet 11 at FIG. 2 above) may respond to a received SMS message, which includes an IP address of an Internet user (e.g., Internet user 6 at FIG. 2), by providing the telephone number of the telephony/Internet server (e.g., telephony/Internet 11). Hyllander's user terminal, at best, is thus capable of merely sending an SMS message, but lacks any mechanism for

sending a conference request. Nor does Hyllander's user terminal have any mechanism for receiving a temporary routing number for a conference call, much less the type of "conference call" recited in claim 1 (e.g., "packet-switched conference call service provided using a connection between a packet-switched network and a user terminal via the circuit-switched network"). As such, Hyllander fails to suggest or disclose at least the following feature of claim 1: "receiving at the user terminal via the data path a temporary routing number as a conference routing number for the requested conference call service, the temporary routing number received in response to the conference request." Although Chaney discloses an IP-based conference service, Chaney fails to cure this deficiency in Hyllander. Therefore, claim 1 is allowable over Hyllander and Chaney, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claim 1 and claims 2-10 and 13-34, at least by reason of their dependency from independent claim 1, should be withdrawn for this additional reason.

Regarding the motivation to combine, Applicants submit that one of ordinary skill in the art would not be motivated to make the Hyllander and Chaney combination proposed by the Examiner. Applicants submit that Chaney **teaches away** because Chaney's conference service relies solely on packet-switched approaches and the PIM server and thus would not be operative with circuit-switched users.¹ Therefore, one of

¹ MPEP §2141.02 further notes that "a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984).

ordinary skill in the art would not be motivated to make the Hyllander-Chaney combination proposed by the Examiner. Therefore, claim 1 is allowable over Hyllander and Chaney, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claim 1 and claims 2-10 and 13-34, at least by reason of their dependency from independent claim 1, should be withdrawn for this additional reason.

Independent claims 35, 43, and 54-58, although of different scope, include features which are similar to some of those noted above with respect to claim 1. For at least the reasons given above, the rejection under 35 U.S.C. § 103(a) of claims 35, 43, and 54-58, as well as claims 37-42, 45-53, and 59 by reason of their dependency, should be withdrawn.

The Examiner rejected claims 11 and 12 under 35 U.S.C. § 103(a) as unpatentable over Hyllander, Chaney, and Hirni. Applicants respectfully traverse this rejection.

Claims 11 and 12 depend from claim 1 and includes all the features recited therein including, among other things, "transmitting via a data path a conference request directed to an application server providing a packet-switched conference call service to a circuit-switched network, the packet-switched conference call service provided using a connection between a packet-switched network and a user terminal via the circuit-switched network" and "receiving at the user terminal via the data path a temporary routing number as a conference routing number for the requested conference call service, the temporary routing number received in response to the conference request." As noted above, neither Hyllander nor Chaney discloses these features. Moreover, although Hirni discloses multimedia telephonic conference call, Hirni fails to cure the

deficiencies of Hyllander and Chaney. Therefore, claims 11 and 12 are allowable over Hyllander, Chaney, and Hirni, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claims 11 and 12 should be withdrawn for this additional reason.

The Examiner rejected claim 59 under 35 U.S.C. § 103(a) as unpatentable over Hyllander, Chaney, and Kaczmarczyk. Applicants respectfully traverse this rejection.

Claim 59 depends from claim 58 and includes all the features recited therein including, among other things, "receiving a conference request via a data path, the conference request directed to an application server providing a packet-switched conference call service to a circuit-switched network, the packet-switched conference call service provided using a connection between a packet-switched network and a user terminal via the circuit-switched network." For at least the reasons noted above, neither Hyllander nor Chaney discloses this feature. Moreover, although Kaczmarczyk discloses call routing techniques, Kaczmarczyk fails to cure the deficiencies of Hyllander and Chaney. Therefore, claim 59 is allowable over Hyllander, Chaney, and Kaczmarczyk, whether taken alone or in combination, and the rejection under 35 U.S.C. § 103(a) of claim 59 should be withdrawn for this additional reason.

CONCLUSION

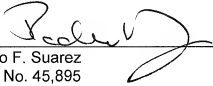
Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner. Applicants submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner. Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

No fees are believed to be due, however the Commissioner is authorized to charge any additional fees or credit overpayments to Deposit Account No. 50-0311, reference No. 37343-512001US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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